



PARTNERSHIP FOR
CHILDREN'S RIGHTS

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November 6, 2015

Hon. Katherine B. Forrest
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Alexandra Garcia v. Carolyn W. Colvin, as Acting Commissioner of
Social Security
12-cv-5886 (KBF)

Dear Judge Forrest,

I am the attorney for the Plaintiff in this action, which I am notified by ECF has been reassigned to Your Honor yesterday, November 5, 2015.

Plaintiff brought this action on behalf of her infant daughter, S.S., appealing the Commissioner's denial of children's disability benefits under the Supplemental Security Income ("SSI") program. Plaintiff seeks remand for further administrative proceedings based on alleged ALJ errors.

This letter-motion is made to respectfully request, to the extent possible and with the utmost respect for this Court's substantial docket, that Your Honor accord this matter high priority in the deliberation and decision of the case. I make this request in view of the following:

This case was fully briefed by the parties and submitted for a Report and Recommendation to the Magistrate Judge previously assigned, exactly two and one-half years ago, on May 6, 2013.

During this period I urgently wrote to the Magistrate Judge regarding the protracted delay: On July 15, 2014 when the parties' motions were pending for more than a year; and again on July 28, 2015 when the motions were pending for more than two years.

The SSI application in this case goes back to 2008, when the child was nine years old: She is now 16 years of age. The prolonged delay by the previously assigned Magistrate Judge in considering and deciding this matter has been burdensome on my client and her family. The impact of extreme delay in children's SSI appeals has, on more than one occasion, been eloquently addressed by this honorable Court -- holding

that the purpose of providing SSI benefits to children "is to assist them while they are children." Molina v. Barnhart, No. 00 Civ. 9522 (DC), 2002 WL 377529, at *10 (S.D.N.Y. Mar. 11, 2002) (citing Maldonado v. Apfel, 55 F. Supp. 2d 296, 307-08 (S.D.N.Y. 1999)).

Thank you for your kind attention to this request.

Sincerely,

Michael D. Hampden

Michael D. Hampden
Attorney for Plaintiff

Cc:

Leslie A. Ramirez-Fisher, Esq.
United States Attorney's Office
Southern District of New York
86 Chambers Street, 3rd Floor
New York, NY 10007
(By ECF)

Alexandra Garcia
285 East 203rd Street, #3
Bronx, NY 10458
(By First Class Mail)

Ordered
you will have a
decision before
Thanksgiving.

K.B. Doe
USDJ

11/9/15